

Alexandria Daily Advertiser.

Vol. VII.]

FRIDAY, MARCH 27, 1807.

[No. 1868.

SALES AT VENDUE.

On every Tuesday and Friday,
WILL BE SOLD,

AT THE VENDUE STORE,

CORNER OF Prince and Water streets.

A variety of Dry Goods, Groceries, &c.

Particulars of which will be expressed in

the bills of the day.

ALL kinds of goods which are on limitation and the prices of which are established, can at any time be viewed and purchased at the lowest limitation and prices.

P. G. Marsteller, v. m.

FOR SALE,

An ANCHOR, of about 350 wt. and STAY, ready fitted for a vessel of 150 tons, entirely new and of the best English造. Apply to

Mordecai Miller.

March 20.

6 Hhds. best retailing Molasses
40 barrels of nice Tanner's Oil
20 bags of heavy Black Pepper
3 pipes of French Brandy
3 do. Holland Gin, and
1 box of brown Platillas.

A part of the above Goods are a consignment, and will be sold unusually low by

M. MILLER.

March 10.

MARSTELLER AND YOUNG,
HAVE JUST RECEIVED,
A quantity of BEEF—Boston inspection
No. 1 and 2—which will be sold on moderate terms.

Feb. 3.

Märsteller and Young,
Have just received, and will sell low if taken
from on board,
8000 bushels Turks Island Salt.
ALSO,

17 Tiers Barbadoes Molasses.
January 16.

Spanish Hides.

1500 large heavy Spanish Hides
6000 wt. fine green Coffee—and
600 wt Indigo, Spanish Flotant
For sale by

M. MILLER.

February 20.

Just Received,
AND FOR SALE BY THE SUBSCRIBERS,
2 pipes L. P. Madeira WINE
2 half do. do.
6 pipes Cognac BRANDY, 4th proof

Wadsworth & Butler,

WHO HAVE ON HAND,

20 hhds. Jamaica RUM, 4th proof
10 do. St. Croix do. 2d & 3d do.
8 do. New-England do.
5 pipes Holland GIN
2 do. country do.
1 hhd. L. market Madeira Wine of a super-
4 quarter casks do. do. 5 riorqu'd
3 do. do. L. P. Teneriffe do. do.
600 bushels Lisbon SALT.

January 1.

13 hds. SUGAR of good quality,
33 bbls. do. do.
5 pipes 4th proof Brandy
4 qr. casks Sherry Wine of excellent
11 do. do. Malaga do. quality.
Boxes of Cotton Cards

Sacks of Licorice Root and Sago
Barrels of Clover and Herbs Grass Seed
And a large quantity of Red Sole Leather,
For sale by

Benjamin Shreve, Jun.

d

SEINE TWINE.

2000 pounds excellent Seine Twine.

ALSO,

10 quarter casks Port Wine
10 boxes Spermacti Candles
12 kegs fresh Raisins—

For sale by

James Sanderson.

January 19.

For Sale or Rent,
A WELL finished three story BRICK
DWELLING HOUSE, containing 7
rooms, with wash house, kitchen, smoke
house, coach house and stable and other ne-
cessary buildings all of brick, situate on Roy-
al street, a few doors from Gadsby's, and
at the market. For particulars apply to

Robert Patton.

February 9.

Coarse Salt, Fruits, &c.

ON SATURDAY,

The 28th instant, at 10 o'clock, A. M. will be offered for sale, from on board the brig Maria, Capt. Carew, lying at Hoe's wharf,

Her CARGO inward,

Consisting of

SALT, suitable for the fisheries

WINE in quarter casks

LEMONS in boxes

FIGS in fairs

ALMONDS in bags—and a quantity of

BOTTLE CORKS.

The terms will be made known on the day of sale.

Robert T. Hoe & Co.

March 25. 3t

WANTED,

A MILLER who is master of his business, to take care of a merchant mill.—To such a one good wages will be given.—For the person who wants, please apply to Mr. Joseph Smith, Alexandria.

March 17. d

NOTICE.

ALL persons who shall be in arrears for Taxes, due the corporation of Alexandria, after the first day of April next, need look for no longer indulgence, but may be assured that I shall proceed to distress every delinquent.

By order of council.

Abel Janney, Collector.

March 9. 3w

For Sale,

(Now landing from sloop Mary Ann.)
20 Quarter casks Sherry Wine.
And in Store,
6000 bushels salt suitable for the fisheries
8000 lbs. Coffees.

Wadsworth & Butler.

March 5. d

FOR RENT,

The STORE, on Prince-street, between Fairfax and Prince-street, lately in the occupation of Mr. Ramsay. It is well calculated for a dry or wet goods store. The rent moderate. Apply to

William Hodgson.

Sept. 25. d

JOHN G. LADD

Has just received and offers for sale,
67 chests fresh Teas,

Consisting of Imperial, Hyson Shuan, Young Hyson and Hyson Skin, of the best quality.
2 bales very fine India COTTONS.

Also, a quantity of SALT, suitable for the fishery.

Fresh Stone LIME, and
Red CLOVER SEED.

March 9. d

For Sale,

A GROUND RENT of Seventy-two Dollars per annum, on Prince-street.

WANTED,

A few Shares of the Bank of Alexandria and Potomac.

Wm. Groverman, Broker.

March 17. d

A TANNERY.

FOR SALE OR RENT,
A TANNERY, with convenient improve-
ments thereon, in the town of Center-
ville. Apply to Mr. Daniel Harrington at the

premises, or to the subscriber in Alexandria.

JOHN G. LADD.

February 25. d

Suwarro Boots.

JOHN G. FRANCIS,
From New-York,

RESPECTFULLY informs the public
that he manufactures Suwarro Boots
with all the modern improvements, warrant-
equal to any in the United States. After many years of experience in his business, he has discovered a new method of retaining the elasticity in boots. He warrants to fit the leg
it ever so badly shaped. He makes boots of various descriptions, viz. Suwarro—Fair Tops, Three Quarters, Corsican Spring Tops, Duck Bills, Round Toes, Bonaparte's Graves Jefferson's Boots and Shoes. He warrants to fit the Suwarro equal to the tuck boots.—Gentlemen will please to call and see for themselves, at his shop in King-street, between Mr. Mott's and Mr. Hodgkin's tavern.

January 5. d6m

N. B. He intends selling cheap for cash.

Wanted to Charter,

A VESSEL

Of about 2000 barrels burthen, to load for a port in ENGLAND, to which immediate dispatch will be given. Apply to

JAMES PATTON.

February 27. d

James Smith,

Would accommodate a few gentle Boarders on moderate terms.

March 24. d6t

NOTICE.

A person who has long been in the practice of Mercantile Business, and a long resident of town, would engage and wishes for employment in some mercantile house. For information

Apply to the Printer.

March 24. d6t

Wanted to Charter,

A vessel of about 800 barrels burthen, to load for a British Windward Island in the West-Indies.

William Hodgson.

March 18. d

JUST RECEIVED

AND FOR SALE,
150 Sacks Liverpool stoved Salt; &
2600 Bushels do.

On very moderate terms.

Wm. Hodgson.

Jan. 3. d

PUBLIC SALE.

ON THURSDAY, the second day of April, at twelve o'clock, will be sold on the premises, on a credit of six, twelve and eighteen months, for approved indorsed negotiable notes,

The House and Lot

Lately occupied as a Bank House. A deed of trust will be taken to secure the payment.

F. G. Marsteller.

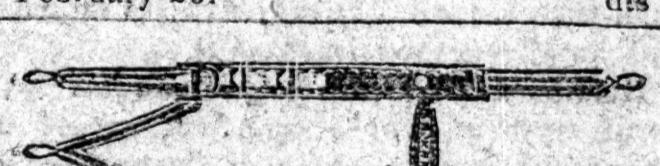
March 19. dts

PUBLIC SALE.

BY VIRTUE of a deed of trust from WILLIAM WILSON to the subscriber, to secure the payment of certain sums of money to the Bank of Alexandria, will be exposed to sale, at public auction, on their respective premises, on the 7th day of May next, sundry parcels of Land, lying upon Union, Water, Fairfax and Queen-streets, and a twenty foot alley, on a credit of six, twelve, and eighteen months, the purchaser giving his notes with an approved indorser, for the payment of the purchase money in three equal payments, and further to secure the purchase money, a deed of trust upon the land purchased.

James Keith, Trustee.

February 28. dts



Patent Elastic Suspenders,
To be had, wholesale and retail, of the Patentee, next door below Mr. Alexander McKenzie's, lower end of Prince-street, Alexandria.

THEY surpass any yet extant, for ease, elegance, &c. Masters of vessels and other gentlemen going to the West-Indies, Spain Main, &c. may be furnished with an assortment, and a great allowance to those who purchase by the quantity.

N. B. The buttons on the back parts of the waistband ought to be placed the same distance from each other, as the two center buttons on the suspender, to prevent improper straining, and thereby destroying the ease designed to the construction of the article.

Richard Horwell.

ALSO,

Red, Green, & Black Morocco Leather,

By the dozen or single skin—for sale at Horwell's Patent Suspender Manufactory, in Prince-street.

d12m

Printing, in its various branches,
handsomely executed at this office.

Ice Cream.

AS application has several times been made to the subscriber for Ice Cream, this is to inform the public that he will in future have it every SATURDAY, when such want may be supplied.

Also—Calves Feet Jelly for sale.

Matthew Eakin.

March 21. 2aw3w

CLOVER SEED.

Fifty bushels Fresh CLOVER SEED for sale by

William Stewart, jun.

March 25. 3t

Landing.

From the brig MARY and sloop JANE,

FOR SALE BY

Lawrafon & Fowle,

50 tons PLAISTER PARIS

50 barrels } N. E. RUM

Congress.

House of Representatives.

Wednesday, February 18.

Debate on the resolution offered by Mr. Broom, to make further provision by law to secure the privilege of the writ of *Habeas Corpus* to persons in custody under or by color of the authority of the U. States.

[CONTINUED.]

Mr. J. Randolph said it was far from his intention to have troubled the house again, but some sentiments escaped him before which he had intended to express and some doctrines had been since advanced which merited notice.

Where are we? said Mr. R. Are we in the congress of the United States? Is this the house of representatives of the union? Are we to hear on this floor that a flagrant violation of the constitution is to be remedied by damages given as in the case of an assault? Is it possible that we have no more respect for the liberty of the citizen and for the sacred charter of the constitution? Whether treason comes marshalled under the banners of Aaron Burr, or under color of law, it is treason still, it is to me the same thing.

Will the house say that a violation of the constitution by the commander in chief at the head of an army is to be regarded like the case of common assaults and left to the same remedy? If these men are conspirators, if they are traitors, deal with them by law, give them law, sheer law, but nothing less or more. The argument urged in excuse for Wilkinson's conduct would as amply defend him in putting men to death. Is it come to this that any course against a criminal not warranted by law is avowed and justified? If you may imprison him contrary to law, you may make way with him, and then summon a *venire* to try the dead man and ascertain whether he is guilty. It is an old remark that dead men tell no tales.

Suppose Aaron Burr is a conspirator, a traitor, let him be hanged, but let it be done by law. Suppose treason has existed for years; suppose a man has participated in the plot, and gone all length with the traitors; suppose at last he has *outhered* Herrod, cut off his co-conspirators and stabs his leader under pretence of zeal for the union and for the constitution. Shall we suffer this man to make away with the evidences of his own guilt?

If a man may be seized in a territory by military force and transported to any part of the union, recollect that you are in a territory, that you may be seized as you leave this house by the remnant of the military force here and sent to New Orleans for trial. Let me state a case. Suppose a member of this house is arrested by military force, confined in the marine barracks — your sergeant at arms sent by your authority to reclaim him, denied admittance, and told that the officer ordering the arrest takes the responsibility on himself; suppose further that the member is tied neck and heels, put on board a vessel, sent to New Orleans, and on his passage knocked over board by the boom. The dead man is then himself to bring an action on the case, for it does not descend to his executors, for damages. Will this house sit quietly and hear that such is the criminal law of the land, without moving a single step towards accomplishing a reform?

We are told of plots from the year 1784 down to the present time, aiming at a severance of the union, and that those unexampled measures are necessary to defeat the conspiracy. How are men in every age made slaves to despotic power? Take a plot and then take *quantum sufficit* of military force, and you have it at once. No change has been wrought in the French government during the French revolution without a plot. By a plot the legislature were at last turned out of doors at the point of the bayonet, and an usurper planted on the throne. Why may not that time and chance which happened to all men, also be our lot?

A great deal has been said as to the quarter from which this resolution comes, and an attempt has been made to discipline the house under the banners of party. The mover of the resolution, who is no acquaintance of mine, and with whom I can claim neither personal nor political friendship, is twitted with what happened several years ago, and with the conduct of others. But let me observe that your political opponents have the same right to take up your principles, that you have to take up theirs. If while in opposition you hold one course, and when in power you

pursue another, the people will soon see that your principles and professions are merely an affair of *Inns and Outs*. A few such instances will open the eyes of the people and the scales which obscure their vision will fall. You quote the most abominable and detestable examples which ever occurred to justify yourselves. No this is worse than any example which can be found in the whole catalogue of aggressions on the rights of the people. The people will listen to those who stand forward in defence of their rights, and therefore I wish not to see your enemies foremost in the cause. It is a disgrace to the old republican party if it yet exists, that they have suffered themselves to be outstripped by their opponents in defending the cause of liberty and the rights of the citizen.

In 1798 the republican party were a small minority, now they are a great majority. How has this increase happened? The same generation exists, it must have resulted from accession to our number from the federal party. And those who swim with the tide and have no principles but to follow the prevailing majority, are now pursuing the same course which they then pursued; under the name of republicans they now manifest the same character which they then exhibited under the name of federalists. There is no dependence on such men.

We are told by certain gentlemen that they do not set themselves up as exclusive champions of the law and the constitution. I am glad of it, for God help the constitution, and God help the laws from such defenders.

It is our duty to provide for this caucus omission in our laws. These men who have been arrested and transported might with the same justice and with as much color of law have been put to death; for liberty is a natural right as well as life. If any man should take one of the poor miserable creatures who inhabit this heap of the ten miles square and send him to N. Orleans by military force, I would cheerfully hang the offenders, not before, but after conviction.

I am afraid that too much reliance for the security of our liberties has been placed on the press, though I am a friend to the press free as air. The sincerity of my principles will not be questioned, for I have gone through sedition times, and did not come into the house with a gale of executive favor blowing at my back. But legislatures have been driven out of their seats in other countries at the point of the bayonet, and with the press at one end of the scale and the bayonet at the other, there is no difficulty in telling which even here would preponderate, and which kick the beam.

Mr. Williams, (N. C.) cared not whence a good measure came, and was glad that the gentleman from Virginia, (Mr. Randolph) had so ably enforced the necessity of an amendment in the laws. Mr. W. replied at some length to the objections of Mr. G. W. Campbell.

Mr. G. W. Campbell said he had been misunderstood or egregiously and wilfully misrepresented, (referring to Mr. Randolph). He had never undertaken to vindicate his vote by the precedents of the alien and the sedition times. He believed himself as sincere a friend to liberty as any member whatever, and he hoped the constitution would never depend on a man of an effervescent imagination, using wild declamation without argument and without system, whose conduct is at one time different from that of another, and whose speeches of one day may be read as an answer to those delivered on another.

Mr. Masters, (N. Y.) opposed the resolution. He could not conceive how a refusal to obey a writ could be considered a violation of the constitution. Why, said he, this extraordinary zeal for these people's rights who want to destroy your own rights? — Have no other people any rights?

Several gentlemen were rising to speak when an adjournment was called for and carried.

Quarter before 5, adjourned.

Thursday, Feb. 19.

The house proceeded to consider the motion of Mr. Broom. Ayes 60, Noes 37.

Mr. Burwell (Vir.) said he should vote for the motion but he hoped that the house would agree to amend the resolution before the question was put. He thought there existed a necessity of defining the power of the supreme court of the United States in issuing the writ of *Habeas Corpus*. A division of opinion on this subject had lately taken place in the court.

Mr. B. believed that they had no power to issue the writ, that they had no original jurisdiction in regard to the subject, except in a few cases specifically designated in the constitution. If the doctrine is admitted that they have the power contended for, the consequence is that a man confined in any part of the United States may be brought up to the seat of government and released by the court. The exercise of the power will be attended with immense inconvenience, for witnesses may be ordered in any numbers from all parts of the union, merely to give testimony in the case of a *Habeas Corpus*. Mr. B. supported his argument at considerable length, and concluded with offering an amendment, which was agreed to — Ayes 76.

The resolution as amended is as follows: the amendment being in italics.

Resolved, That a committee be appointed to enquire into the expediency of making further provision by law more effectually to secure the privilege of the writ of *Habeas Corpus* to persons in custody under or by color of the authority of the U. States, and the necessity of defining the power of the supreme court of the United States in issuing the writ of *Habeas Corpus*, with leave to report by bill or otherwise.

Mr. Jackson was opposed to the resolution as it stood originally, and he thought the amendment rendered it even more reprehensible. The writ of *Habeas Corpus* was in his opinion amply secured. It was in vain to say that an action for damages did not afford an adequate remedy. Gentlemen had contented themselves with declamation and denunciation without descending to investigate the merits of the subject.

Five gentlemen rose now at nearly the same time and all appeared extremely solicitous to deliver their sentiments on the subject. The speaker thought Mr. Bidwell was up first and entitled to the floor.

Mr. Bidwell spoke at length against the motion. He observed that it had two objects in view and both predicated on recent occurrences. Both members of the resolution met with his disapprobation. — The present time was improper. The arguments of the gentleman from Delaware were calculated to excite unpleasant sensibilities in the house and to alarm the nation. There were on the table a great number of reports and bills which awaited the decision of the house, and if the resolution was pursued as heretofore all this important business must be transferred to the next session.

Mr. B. denied the laws relative to the *Habeas Corpus* imperfect, but he thought the provision suggested by the gentleman from Delaware unnecessary, and if necessary, he should oppose their adoption, at this particular crisis.

The arguments in favor of the resolution, are founded on what is called a violation of the constitution, that is, a violation of the constitutional right, which is in some sense a breach of the constitution. The resolution, if agreed to, ought to go in the first place to a committee of the whole, for the decision of principles, and then referred to a select committee, for the arrangement of details.

It has been said with great zeal, that the "constitution has been violated, and if we sit still, and allow those violations to go on, the constitution will be eventually sacrificed."

This is a two edged sword, and cuts both ways. If unnecessary alarms are excited, the feelings of the people will be blunted, and they will at last be insensible to real and dangerous violations of the constitution.

To interest our feelings a case has been put, of a member of this house being arrested by force, and sent to New Orleans. But even in that case there could be no need of legislation. An action for damages and an indictment would afford the means of redress and punishment. Mr. B. would not disparage the trial by jury so much as to say that it is not competent to give relief. A jury are not more liable to prejudice and partiality than a legislature. While a question is pending in the court, it is improper for us to take up the subject, for it will produce an impression on the public mind, which will find its way to the jury.

It has been repeatedly said, that Wilkinson has violated the constitution; it has been repeatedly said that he had violated the writ of *Habeas Corpus*. Mr. B. understood the fact to be otherwise; that Wilkinson had never refused obedience to a writ of *Habeas Corpus*. He had only arrested men illegally, and taken the responsibility upon himself. Mr. B. at considerable length explained the distinction, and insisted on its correctness and importance.

He contended that at New Orleans there had been no refusal to grant or obey a writ of *Habeas Corpus*, the conduct of Wilkinson was quite another thing.

Mr. Quincy (Mass.) So long as an intention appeared to make this a party question, I had no inclination to intermeddle with it. The subject seems to me to be of too high a nature, and too deeply connected with the rights and liberties of us all, to be examined under those narrow and temporary views, which party spirit necessarily introduces. Since the discussion has assumed a milder aspect, I shall offer a few considerations; limiting myself to a very simple and brief elucidation of the subject, to a point of view which no other gentleman has taken it, as yet on this floor.

I cannot agree with those gentlemen who maintain that, in the arrest and transportation of Boltman and Swartout they can see no violation of the rights of individuals.

The privileges of the constitution are as much the inheritance of the humblest and most depraved, as of the most elevated or virtuous citizen. To be seized by a military force, to be concealed and hurried beyond the protection of the civil power, and to be sent a thousand miles for trial, in a place where the crime charged was not committed, are violations of individual rights and of the constitution. I am not, however, prepared to say, that in no possible case they can be pardoned, nor, with the gentleman from Virginia (Randolph) that in no case I would consent to indemnify a military commander for making such an arrest. A case might exist, when it might be the duty of a legislature thus to indemnify. I agree, however, that it must be an extreme case, and that the party to be indemnified must evidence that he had himself no voluntary agency in producing that state of things which made such an unconstitutional exercise of power necessary to the safety of the state. I give no opinion concerning the conduct of general Wilkinson. The events which happened at New Orleans have no other relation to the subject before the house had this: They have turned the attention of reflecting men in this nation to the nature of the security they possess against similar violence, and in common with other reflecting men, it has become our duty not only to understand the nature of that security, but also to supply, as soon as possible, any deficiencies we may discover in it.

The only question is, have this people the privilege of the writ of *Habeas Corpus* secured to them as fully and effectually as the constitution intended, and as wise and prudent men ought to desire? I answer unequivocally, they have not. So far as relates to cases under the exclusive jurisdiction of the U. S. we have virtually no writ of *Habeas Corpus* — and for this plain reason, that we have none of the sanctions of the writ; we have none of those penalties, without which the writ of *Habeas Corpus* is a dead letter; particularly in all cases, in which the state of party passions, or of any predominant power leads to the oppression of an individual.

The writ of *Habeas Corpus* and the penalties by which it is enforced, and in which the great benefit of the privilege consists, are distinct things in their nature. The former was known to the English common law, and although, at all periods of English history, it was held a very precious right, yet were its provisions found wholly ineffectual against arbitrary power, until after the statute of Charles II, called by Englishmen their second Magna Charta. This statute gave penalties known to the common law. If a judge refuses to grant, or an officer refuses to execute the writ, he is liable to a penalty of 500^l sterling and similar sanctions annexed to other neglects of the precept. The house will observe, that all these penalties are securities, given to personal liberty, additional to those which exist in common law, and are not substituted for them. These penalties are annexed to disobedience to the writ, not as an indemnification for the injury. All the other remedies against the judge, or the party imprisoning remain unimpaired.

The question recurs, does the federal constitution, by securing to us "the privilege of the writ of *Habeas Corpus*" assure to us those sanctions of the writ, which constitute, in England, its characteristic security? If the constitution had re-enacted the statute of Charles there could be no doubt. But will gentlemen seriously assert, that a penal statute of another country, can, by construction, be declared the law of this, so as to make our citizens obnoxious to its penalties? If that statute be our national law, how was it obtained? Re-enacting statute we have none. And "the United States, as a federal govern-

ment, have no control to declare the highest law at the expense of the opinion of the U. S. las 394.

This view of a fiction to satisfy a certain party for this great and important legislature to the nature of a constitutional provision sent is the only question. But gentlemen, either penalties?" "Writ, is there no gainst the person, is there not an answer. Both personal liberty or do still exist in do here, yet was these were reasons celebrated statute urged as evidence needless, or usual statute are guaranteed the citizen, additional to the law. The principle of which is established with both the consent, in this end all its purpose to leave a citizen to protection of the right of legislative inquiry, of ultimately a heavy compensation is always for false inadequate security. Writ of *Habeas Corpus* is a privilege of the unless in times of in such times, whether against a judge, in coincidence with a wailing party? A national liberty to be And if it were, person guilty of competence to pay. In the case of self can ever be expeditious deficiencies we may discover in it.

The penalties Charles, on the conscience of the court independent of all may happen to pass suspended over a situation in society makes the atmosphere should it be whole, those who seem to me to be either they may content that the States should possess liberties, than the England enjoy due to the doctrine that the other country may the law of this can conceive both absurd.

In this discuss to avoid all notice, all invective which question is too import with feelings and passions. And the c and of the nation, from us all a con ephemeral distinction! Debate

From the COMM

SPECULATI

It has been laid down that the spirit of a nation is dowered in a monarchic state. In despotic magistrate is directed by decrees, much by discretion; he is, study the end and so to interpret with his intention, in a republic the case of their state more or less voluminous freedom is, that the laws. T

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ment, whose limits and barriers are, or ought to be, well defined; and are not left to the discretion of any arbitrary or capricious will. The only proper inquiry for the judge, under such government, is, *what is the law?* It is the province of the legislature to enact: that of the judiciary to enforce. No legislative function, therefore, should be left to the magistrate. Yet this function is in a measure assumed, whenever he undertakes to decide without parliamentary or prescriptive authority. In one word wherever the law stops short, he should stop.

But gentlemen ask "what need of further penalties?" "If the judge refuses the writ, is there not impeachment?" "Against the person illegally imprisoning another, is there not an action for damages?" I answer. Both these securities for the personal liberty of the citizen existed, and do still exist in England, as fully as they do here; yet was it ever before heard that these were reasons against enacting that celebrated statute of Charles; or were ever urged as evidence that its provisions were needless, or useless? The penalties of that statute are guarantees of the liberties of the citizen, additional to those, which result from the law and the constitution.—The principle of that statute is, to rest satisfied with nothing short of the actual liberation of the person, from illegal imprisonment, in the shortest time possible. To this end all its provisions tend. It will not leave a citizen to languish in prison, in expectation of the result of the slow progress of legislative inquisition, or for the purpose of ultimately qualifying him to receive a heavy compensation in damages. Impeachment is always a dubious, and an action for false imprisonment, often an inadequate security for the observance of the writ of habeas corpus. Great violations of the privilege of this writ can never happen, unless in times of great party violence.—In such times, what hope of impeachment against a judge, who abuses his authority in coincidence with the views of a prevailing party? And as to damages, is personal liberty to be estimated by money? And if it were, what certainty that the person guilty of the illegal arrest will be compelled to pay the damages recovered? In the case of seizure by a military power can it ever be expected from the universal pecuniary deficiencies of the soldier, that damages will be realized, even should the civil arm be competent to enforce its execution?

The penalties affixed by the statute of Charles, on the contrary, assure the obedience of the courts and officers of justice, independent of all party influences, which may happen to prevail in the nation, and secure personal liberty by pecuniary perils, suspended over the heads of men whose situation in society is such as, in general, makes the attainment of the penalty certain, should it be incurred. Upon the whole, those who oppose the present motion seem to me to be reduced to this dilemma, either they must acknowledge that they are content that the citizens of these United States should possess less security for their liberties, than the subjects of the law in England enjoy for theirs; or they are reduced to the necessity of adopting the doctrine that the statute penalties of another country may by construction become the law of this nation; in which, I conceive nothing more monstrous or absurd.

In this discussion it has been my wish to avoid all notice of the party and personal invectives which have been uttered. The question is too important to be mingled with feelings and passions of these descriptions. And the circumstances of the time and of the nation, seem to me to claim from us all a contempt for these local and ephemeral distinctions.

[Debate to be continued.]

From the COMMERCIAL ADVERTISER.

SPECULATIONS OF DECIUS.

It has been laid down as a political maxim that the spirit of the law should be followed in a monarchy; the letter in a republic. In despotic governments, where the magistrate is directed only by short edicts or decrees, much is necessarily left to his discretion; he is, therefore, compelled to study the end and design of the sovereign, and so to interpret any part, which is left deficient or doubtful, as best to comport with his intention, or to subserve his will. In republics the case is materially different. As nations are more or less free, the nature of their state requires codes of laws more or less voluminous. The essence of true freedom is, that the citizens are to be judged by the laws. They are under a govern-

sites of office. These I have always considered incompatible at once with the nature of our government, and the dignity of their stations. It is remarkable, that in Turkey, the most detestable of modern despots, the cadi, or magistrate, gains his emolument from perquisites. The abominable practices hence arising, need not here be mentioned. There is a coincidence between this and the usage with us; although I admit the cases are not perfectly parallel. The tendency, however, must always be the same.

*Male verum examinat omni
Corruption judges.*

We have all known men in such offices whose capacity for fees have rendered them ridiculously proverbial. The eagerness with which some of them grasp at the shillings and pence, completely immerses all thoughts of the public good, as well as every thing like serious deliberation on the case of the individual, whose interest is at stake. A repetition of appointing characters of this description has long since called for legislative interference.

There is another public evil, which, although remotely connected with the subject here treated of, I think proper incidentally to mention. It is the refusal of juries to convict criminals, however clearly their guilt may be established, unless the law for their punishment conforms to the doctrines, inculcated by our busy demagogues. This had its origin, like most other of the political monsters of the present age, in the new philosophy.—Hence, when sworn to pronounce according to evidence, the jury first erect themselves into a legislature, and fix upon such principles as meet the views of some favorite innovator; and then they are prepared to regulate the punishment. The evil has been deep rooted and extensive, yet we may hope to see it eradicated by the only power capable of doing it, the correction of principles.

Alexandria Daily Advertiser.

FRIDAY, MARCH 27.

COMMUNICATION.

BRITISH TREATY.

IT is a maxim in law, generally correct, that a person is always to be deemed innocent until he is proved guilty. But where a long series of motives in the conduct of any individual, have been considered corrupt, the *onus probandi* ought to lie on the shoulders of the person accused; and it becomes his duty to prove his innocence.

From reasoning like this it is maintained that the friends of the President ought to satisfy the public mind, of the purity of the motives that have occasioned his late extraordinary and unprecedented conduct relative to the British treaty.

In the whole history of Mr. Jefferson's life, show me one instance of bold independence in a case of high responsibility, like that of his returning this treaty without laying it before the senate. It cannot be done. The enquiry then is, what motives actuated him.—We cannot prove what the motives were; but I have the fullest conviction, that a desire to injure the reputation of Monroe (more particularly than Pinckney) and a dread of the French government, or Turreau's whiskers, were the causes of this novel and seemingly independent conduct of the executive!

Indeed I am so apt to look for impure rather than pure intentions, that I cannot but entertain a doubt whether or not the appointment of Mr. Pinckney, a federalist, in the joint embassy, was not intended to operate injuriously on the character of Monroe. If a treaty should be concluded, to which the executive might, either justly or unjustly object, how easy to fabricate a tale, that Monroe, after the ineffectual endeavor of years, could not obtain a treaty satisfactory to himself, till he was weak enough to be warped by Pinckney, or base enough to tickle his palm with English guineas.

Mr. Madison is resolved to be the next President; Mr. Monroe is also a candidate, and, in the fears at least of Mr. Madison, a powerful rival. Hand and glove are not more intimate than Jefferson and Madison; and Mr. Jefferson is determined that Madison shall succeed him. For this purpose the character of Monroe must be marred if not murdered; and a more certain way to do this scarcely exists, than *shargere voce inter populos*; that Mr. Monroe has turned federalist, that the federalists are all adherents to the British; and that the strong proof of Monroe's federalism is, his approving of a treaty so vile that the executive could not bear even to lay it before the senate.

Another cause of the returning of the treaty is, as I firmly believe; it meets the disapprobation of the French government; a disapprobation not expressed, except perhaps by Turreau, but which is believed to exist; and which has as much effect perhaps on the president, as if Napoleon had "lifted up his voice," as in his order to the American government to stop all intercourse with St. Domingo; an order instantly obeyed; or as in his order to settle a pretended claim of the heirs of Beauamarchais.

Shall we never know on what ground the treaty is considered reprehensible? Shall we

know only from such *hretences* as the executive may give? It is to be hoped that the public may see this treaty; either from the hands of Mr. Erskine or otherwise.

The impression of American seamen is given as one complaint for which no provision is made. What is to be expected? The British have long contended for and will never yield their right to impress their own subjects wherever found. Once a British subject always so, by their laws. We have between 40 and 60,000 British subjects employed in American merchant vessels. We have them and have had them in our navy, ready to fight their own countrymen. Of these possibly one fifth have become American citizens, and are to be protected by us in our own jurisdiction. But most of them have false *protectors* from collectors and magistrates as American citizens, and many of them as native Americans. These are fairly liable to impressment—but there is so much knavery in granting these protections, that the impressing officers, constantly cheated by spurious protections, sometimes impress native Americans. These are however generally released when proofs of their nativity appear. If that for which the executive contends, be made a *sine qua non*, we shall never have a treaty with England.

Some confidential provisions were made respecting the French blockading decree. If they were such as could not be approved, surely the Senate might reject them, without rejecting the whole treaty.

What will be the consequence of returning this treaty is uncertain; but it is probable as the treaty is disliked in parliament, and appears to be greatly disliked in London, that we shall not get a better, and perhaps not so good; Mr. Pinckney will have the sole management; Mr. Monroe being about to return home to meet the frowns of the president and his minions; and should no treaty be made, Mr. Monroe's popularity will be tarnished, a desirable thing to many, and Mr. Pinckney's sunk in democratic estimation. The blame must not at all events rest on the shoulders of Jefferson and Madison.

A letter from a gentleman in Fredericksburgh to his friend in this town dated the 26th instant, says: Col. Burr arrived here his day under a strong guard, and I learn will proceed to-morrow morning for the city of Washington."

The attorney general of the U. States passed through Alexandria yesterday morning on his way to Richmond for the purpose of prosecuting Burr, and it is probable met him on the road and changed his destination.

Just Received,
And For Sale by COTTON & STEWART.
Carr's Stranger in Ireland
(Price One Dollar.)

March 27.

To Kent.

I WILL RENT the two story brick-house with all the back buildings attached thereto, On King and Patrick streets, formerly occupied by Davey Davey as a tavern—For terms apply to

Wm. N. Mills.

March 27.

Just received from Philadelphia.

By Captain Hand,

29 chests Young Hyson, and
9 boxes Hyson Sheldan Tea, of a superior
quality, which will be sold low.

Likewise on Hand,

6 hds. good Sugar,
10 hds. Molasses, of a good quality,
Salt of various kinds,

And a constant supply of Flour suitable for
family use.

Joseph Dean.

March 27.

Porter, Ale, &c.

I have received for sloop UNITY, and offer for
sale,

40 hds. nice old Porter and
pale Ale.

Also—a consignment of

PHILADELPHIA BEER,

or A SUPERIOR QUALITY.

And by the next vessel expect a further
supply.

I have on hand—Upwards of one thou.
sand dozen fine old PORTER and pale ALE
in bottles—600 dozen of which is put up in
barrels of three dozen each, and is in fit order
to ship for the West-Indies or a southern
market.—To a person disposed to ship, a li.
beral credit will be given.

WILLIAM DUNLAP,

Water, between King and Prince-streets.
March 27.

FOR SALE,
7000 bushels SALT, suitable
for the Fisheries.

Apply to

Joseph Smith,

Upper end of King-street.

March 7.

PROOF.

Of the good effects of Lee and Son's Genuine Medicine, shewn by the following cases of cures:

Lee's Worm-destroying Lozenges.

This medicine, which is as innocent & mild as it is certain and efficacious in its operation, cannot injure the youngest infant, should no worms exist in the body; but will, without pain or griping, cleanse the stomach and bowels of whatever is foul or offensive, and thereby prevent the production of worms and many fatal disorders.

From the many cases of cures that daily come to our knowledge, we have selected the following:

Messrs. Richard Lee & Son,

You are at liberty to publish the astonishing cure performed by your Lozenges on my son, 10 years old, who was afflicted with fevers, pain in his side, and a continual head-ache, which reduced him so low that he was unable to sit up. One of my neighbors advised me to use your Lozenges, which has had the happy effect of restoring him to a better state of health than he has enjoyed for several years, in the short space of seventeen days.

JOHN KELLEY, Pitt-street.

Messrs. Richard Lee & Son,

My son, five years old, has for some time past been very unhealthy, having fevers, headaches, and loss of appetite. Hearing of the many cures performed by your Worm Lozenges, I was induced to give them a trial. The effect was beyond my expectation, as a large quantity of small worms was expelled; hundreds of them was alive for some time after.

JOHN KENNEDY, Potter-street.

Baltimore, Jan. 4th, 1807.

Messrs. Richard Lee & Son,

Having observed in the newspaper an advertisement of yours describing the good qualities of your Worm Lozenges, induced me to call at the store of Warner and Hanna, and to make a trial of some of them on a female child of my friend's, who was in my care, which, from her symptoms of disease, viz. sickness, a picking at the nose, offensive breath, and other like circumstances, authorised myself and Mrs. McCormick to determine that worms was the complaint; accordingly a few days since, I made a trial of the medicine, agreeable to the directions, and I am happy to say, that on the third day, afterwards the child evacuated large worms, and other offensive matter, such as to me was astonishing that any human being could have contained—particularly at so early an age as one year and a half old. For the good of society I have much pleasure in mentioning the case, and to observe that the child is now perfectly well, and assumes a healthy appearance. Any other information I shall give with pleasure on application to me, at my house in Frederick-street, near Messrs. Van Wyck and Dorsey's auction room.

WILLIAM M'CORMICK.

Baltimore, Jan. 31, 1807.

LEE'S ELIXER.

A sovereign remedy for colds, obstinate coughs, catarrhal asthma, sore throats, and approaching consumptions.

To parents who may have children afflicted with the hooping cough, this discovery is of the first magnitude, as it affords immediate relief, checks the progress, and in a short time entirely removes the most cruel disorder to which children are liable. The elixir is so perfectly agreeable, and the dose so small, that no difficulty arises in taking it.

Lee's Grand Restorative.

Proved by long and extensive experience to be absolutely unparalleled in the cure of nervous disorders, consumptions, lowness of spirits, loss of appetite, impurity of blood, hysterical affections, inward weaknesses, violent cramps in the stomach and back, indigestion, melancholy, gout in the stomach, pains in the limbs, relaxations, involuntary emissions, obstinate gouts, flour albus (or whites) impotency, barrenness, &c.

Infallible Ague and Fever Drops,
For the cure of Agues, remittent and intermitting Fevers.

Lee's genuine Essence and Extract of Mustard.

A safe and effectual remedy for acute and chronic rheumatism, gout, palsy, lumbago, numbness, white swellings, chilblains, sprains, bruises, pains in the face and neck, &c.

Lee's Sovereign Ointment for the Itch.

Which is warranted an infallible remedy at one application, and may be used with the most perfect safety by pregnant women, or on infants a week old, not containing a particle of mercury or any dangerous ingredient whatever, and is not accompanied with that tormenting smart which attends the use of other remedies.

Lee's Genuine Eye-Water.

A sovereign remedy for all diseases of the eyes, whether the effect of natural weakness or accident.

Lee's Genuine Persian Lotion.

LEE'S DAMASK LIP SALVE.

TOOTH ACHE DROPS.

The only remedy yet discovered which gives immediate and lasting relief in the most severe instances.

THE ANODYNE ELIXIR.

For the cure of all kinds of head-ache.

Restorative Powder for the Teeth & Gums

THE FOREGOING MEDICINES SOLD BY

NICHOLAS HINGSTON,

At his China, Glass, Queen's Ware and Seed Store, Fairfax street, facing Messrs. Rickell's and Newton's.

Each article has on the outside wrapper, the signature of

Richard Lee and Son,

Without which none are genuine.

March 21

FRESH SEEDS.

NICHOLAS HINGSTON.

Respectfully informs the public, that he hath removed from King street, to his old stand, in Fairfax street,

Where he hath for sale,

RED and white Clover, just received, Timothy seed, Orchard Grass, Lucern, and will receive by first arrival from London, a quantity of Burnet and Rye Grass.

Also on hand, a general assortment of Kitchen Garden and Flower seeds and roots, Medicinal and Bird seeds, Pot Herbs, &c. a quantity of large Lombardy Poplars, young Locust and Peach trees, large Catelpas, and a variety of flowering trees and shrubs. Also, all kinds of Garden Utensils—best London made Pruning Knives, Flower Pots, Chimney Ornaments and Root Glasses, with a general assortment of China, Glass and Queen's ware, fresh Teas, and a good assortment of Groceries.

March 8

5d, each lawt's May

Just Published,

By ROBERT GRAY, at his Book and Stationery Store, King-street,

A NEW EDITION OF THE

ENGLISH READER;

OR

Pieces in Prose and Poetry,

Selected from the best writers, designed to assist young persons to read with propriety and effect; to improve their language and sentiments, and to inculcate some of the most important principles of piety and virtue; with a few preliminary observations on the propriety of good reading. By LINDEAY MURRAY, author of English grammar, exercise, &c. Price 75 cents, bound in strong and durable leather.

March 16.

2aw2m.

Robert Gray,

BOOKSELLER, King-street, Alexandria,
Has just received from New York,

THE FOLLOWING BOOKS:

SECRET HISTORY of the court and cabinet of St. Cloud; Watt's logic; Misses' magazine; Bell's British theatre, bound in calf and elegantly gilt; Took's pantheon; Saurin's sermons; Sherlock on death; pocket bibles assorted; Gellie's Grecce, elegantly bound; Cowper's poems, calf gilt; life of Petarch, calf gilt; Fool of quality; Tom Jones; Humphrey Clinker; Marmontell's memoirs, 4 vols, fine London edition, elegantly bound, only one copy received; Marmontell's moral tales; Mysteries of Udolpho; Peregrine Pickle; Roderick Random; McLaurin's algebra; Bonnycastle's algebra; nautical almanacs for the year 1807; Edinburgh new dispensatory; Brown's elements of medicine; Bennett's letters; Burgh's dignity of human nature; Berkley's minute philosopher; Paley's natural theology; Denman's midwifery; Wallis on diseases; Burton's lectures; Dwight's geography; Griffith's letters; Bell on ulcers; Steuben's military discipline; Stephen's artillery discipline; shipwreck, a poem; Shakespeare's works; children of the abbey; Olney Hymns; Cicero's Delphin; Quincey's lexicon; Franklin's works, 3 vols. octavo, [London]; Parkin's tour & memoirs of Talleyrand.

Lately received from Philadelphia,

Brooke's general gazetteer; Bell's surgeon; Mrs. Chapone's letters; Goldsmith's Rome abridged; Lavaise's chemistry; medical pocket book; Milton's works; Plutarch's lives; Rollin's ancient history; Porteus's sermons; Marillier's sermons; Thompson's seasons; Young's Night Thoughts; domestic encyclopaedia; history of America, and the life of William Pitt.

ON HAND,

A selection of the British classics, in 39 vols. bound in calf and ornamented with plates; Mayor's voyages and travels, in 24 vols. with plates, and bound in calf; Mayor's universal history, 25 vols. in boards.

Dr. Rees's cyclopaedia, vol. 3d. part 1st. is expected by the first arrival from Philadelphia. Subscribers who have not received the former numbers are requested to send or call for them immediately for their own convenience, as they will find it more difficult to pay for 4 or 5 numbers at a time than for one.

March 8.

law2m

NEW STORE,

AT FAIRFAX COURT-HOUSE.

Jonathan Scholfield,

Is now opening, a large and general assortment of DRY GOODS & GROCERIES, which he will sell low for cash or credit, consisting of the following articles, viz.

CLOTHS

Blankets

Flannels

Coatings

Calicoes

Linens assorted

Muslins do.

Cambrics do.

Manchesters

Gloves

Mens and women's

Shoes

Sewing Thread & Silk

COFFEE

Imperial

Old Hyson

Young Hyson

Hyson Skin

Loaf Sugar

Brown do. assorted

Molasses

Chocolate

Candles and Soap

Pepper and Ginger

Powder, Shot, &c.

Wanted,

A number of laboring hands.

Apply to

JONA. SCHOLFIELD,

Alexandria,

SAML. B. BIDGOOD,

at the Court-house.

March 9

2aw3w

Public Sale.

On the 20th of April next, will be offered for sale, on the premises, on a credit of nine twelve and eighteen months, for negotiable notes with approved indorsers,

A valuable Lot of Ground,

situated on Patrick and King-streets, and binding on the former 100 feet, and on the latter 48 feet.

A three story Brick House has been lately erected on this property, which is at present in an unfinished state within: it binds on King-street nearly opposite to Davey Davy's. For further particulars enquiry may be made of the subscriber, before or on the day of sale.

J. H. Hoe.

March 18.

Just Received and for Sale,

By the Subscribers,

A choice cargo of MAHOGANY,

From the Bay of Honduras, of different lengths and sizes, which they will sell by the log or larger quantity.

They have also for Sale,

Sugar in hogsheads

London particular Madeira Wine,

Catalonia ditto. By the quarter cask

Virginia Rum, of excellent quality

Molasses by the hogshead

Liverpool Stewed Salt

And Logwood.

Nathaniel Wattles & Co.

January 26.

2aw

JAMES BACON,

At his GROCERY STORE, on King-street, has added

A fresh Supply of Genuine Articles in the Grocery Line;

Which makes his assortment complete.

He now offers for sale, on his usual low terms,

Muscovado Sugars, of various qualities,

Loaf and Lump ditto,

Gunpowder,

Imperial,

Hyson,

Young Hyson,

Hyson-Skin, and

Souchong

Best green Coffee,

Chocolate, of a superior quality

Malta,

Buselles,

Sherry,

Lisbon,

Teneriffe,

Malaga, and

Genuine old Port

Cognac and Bourdeaux Brandy,

Old Jamaica Spirit, for family use,

Antigua, St. Croix, St. Vincent, and New